

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Sahari et al.

**Application No.:** Not Yet Known

**Filed:** Not Yet Known

**For:** DEVICE FOR THE ANALYSIS OR  
ABSORPTION MEASUREMENT OF A  
SMALL QUANTITY OF A LIQUID MEDIUM  
BY MEANS OF LIGHT

**Group:** Not Yet Known

**Examiner:** Not Yet Known

**Our File:** SMB-PT184

(PC 05 196 M US)

**Date:** October 6, 2006

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

The references cited in this Information Disclosure Statement were either listed in an International Search Report in the corresponding International Application or cited in the German Office Action from the original priority application, copies enclosed.

Of the non-English language references cited in the International Search Report, EP 0660 106, the Abstract and Figures, was cited as Category A. US 4,643,580 has been cited as equivalent to DE 33 44 387.

DE-OS 2 255 471 was cited in the Examination Report dated 26 January 2005 from the German Patent Office in the parent German application 10 2004 023 178.8. The action states the pertinence of the references as:

From publication 1) [DE-OS 2 255 471], in particular Figure 1, and the associated text, an arrangement for photometric analysis is known, for a fluid test, such as a drop, where the arrangement has a receiving point area on a top surface for holding the medium and in a vertical position of use, underneath the receiving point, a light inlet and a light outlet.

The horizontally oriented light outlet having an arrangement to guide the light upwardly for example to a detector, is known in the publication 2) [EP 0 660 106], in particular Figures 2 and 4 with the corresponding text.

Claim 1 is therefore not patentable as lacking an inventive step.

Applicants have submitted U.S. 3,734,622, which is the equivalent U.S. Patent to DE-OS 2 255 471.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Sahari et al.

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RJH/dmm

|   |                      |                        |  |  |
|---|----------------------|------------------------|--|--|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>( Not for submission under 37 CFR 1.99) | Application Number   |                        |  |  |
|   | Filing Date          |                        |  |  |
|   | First Named Inventor | Sahani et al.          |  |  |
|   | Art Unit             |                        |  |  |
|   | Examiner Name        |                        |  |  |
| Attorney Docket Number  |                      | SMB-PT184 (PC05196MUS) |  |  |

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| Examiner Initial* | Cite No | Patent Number | Kind Code <sup>1</sup> | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|                   | 1       | 3392623       |                        | 1968-07-16 | Walker et al.                                   |  |
|                   | 2       | 3734622       |                        | 1973-05-22 | Stanford L. Adler                               |  |
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|                          | 1       | 0660106                              | EP                          |                        | 1995-06-28       | Peter Mayer                                     |  | <input type="checkbox"/> |

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                        |  |
|------------------------|------------------------|--|
| Application Number     |                        |  |
| Filing Date            |                        |  |
| First Named Inventor   | Sahan et al.           |  |
| Art Unit               |                        |  |
| Examiner Name          |                        |  |
| Attorney Docket Number | SMB-PT184 (PC05196MUS) |  |

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**NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>5</sup>           |
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**EXAMINER SIGNATURE**

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| Examiner Signature | Date Considered |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                        |
|------------------------|------------------------|
| Application Number     |                        |
| Filing Date            |                        |
| First Named Inventor   | Sahan et al.           |
| Art Unit               |                        |
| Examiner Name          |                        |
| Attorney Docket Number | SMB-PT184 (PC05196MUS) |

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

|            |                    |                     |            |
|------------|--------------------|---------------------|------------|
| Signature  | /Randolph J. Huis/ | Date (YYYY-MM-DD)   | 2006-10-06 |
| Name/Print | Randolph J. Huis   | Registration Number | 34626      |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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